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Linda McCulloch
Superintendent

DATE: July 10, 2003

TO: School Food Authority Administrators and Food Service Managers

FROM: Christine Emerson, Director
School Nutrition Programs

SUBJECT: Licensure Requirement for Public School Food Service Establishments

The 2003 Montana Legislature amended section 50-50-202 (1), MCA, of the retail food service law. Under the amendment, public school food service establishments will need to be licensed unless they employ their own full-time sanitarian independent of the local health authority's sanitarian. The food service regulations have not changed. The only change for next year is the requirement to become licensed.

The definition of a food service establishment under "50-50-102 MCA. Definitions" reads as follows, "a fixed or mobile restaurant, coffee shop, cafeteria ... or similar place where food or drink is prepared, served, or provided to the public with or without charge." **A school that prepares food in one location and serves food in another location must obtain two separate licenses.**

Before December 31, 2003, the Department of Public Health & Human Services asks each school that operates a food service to:

1. Contact the local county sanitarian to determine compliance with food service establishment rules.
2. Assure that the establishment is approved by the local county sanitarian and that the sanitarian signs the license application.
3. Submit the completed license application along with the appropriate license fee(s) to the Montana Department of Public Health & Human Services, Food and Consumer Safety Section, PO Box 202951, Helena, MT 59620.

Schools should not apply for licenses and pay the licensing fee until December 2003. If a school pays for a license in September, the school will need to repay the licensing fee for the year 2004.

If you have questions, please call Holly Humphrey, School Nutrition Programs Specialist, (406) 444-4413.

